

Redefining the School District in America

by Nelson Smith

Foreword by Amber M. Northern and Michael J. Petrilli

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FOREWORD

by Amber M. Northern and Michael J. Petrilli

Years into America's quest to fix its failing schools, everyone agrees that it is extraordinarily hard work to turn them around. But that hasn't stopped us from trying.

Indeed, the federal government has spent over \$5.7 billion on school improvement grants (SIG) to date and has very little to show for it. Data from 2013 indicated that roughly two-thirds of schools that received SIG funds saw incremental gains in student proficiency—in line with the performance trend for all U.S. schools, including those that didn't get SIG dollars. Even more disappointingly, one-third of SIG schools did *worse* after receiving the funding. (A small percentage stayed the same.)

As recently as May 2015, another study helped to explain these sobering results. It found that most states lack the expertise to turn around persistently failing schools. In fact, 80 percent of state officials reported “significant gaps” in this realm.

Even when we stumble upon promising strategies, the old familiar barriers make implementation difficult. In 2012, for example, the Center on Education Policy found that a majority of state officials believed that replacing the principal or staff of low-performing schools was a key element in improving student achievement there. Yet many also reported that the tight schedule for implementing SIG grants, combined with various union requirements and other HR restrictions, seriously impeded such changes.

The resulting frustration, at a time when millions of children are stuck in schools that fail to educate them, fueled our interest in better understanding just how America's fragmented, politicized, and bureaucratic system of education governance impedes school reform—and how it could itself be reformed. That's why, over four years ago, we and our friends at the Center for American Progress launched a multi-year initiative to do just that. We commenced that work with an “anchor book” called *Education Governance for the Twenty-First Century: Overcoming the Structural Barriers to School Reform*; one of the promising innovations it identified was the “recovery school district” (RSD), an alternative to district-based governance and traditional state takeovers. The RSD was then already visible in New Orleans, where the first such venture was undertaken. As new, state-created entities charged with running and turning around the worst schools, entities such as the RSD enjoy certain authorities and flexibilities—such as the ability to turn schools into charters and to bypass collective bargaining agreements—that allow them to cut the red tape that has made so many schools dysfunctional and hard to change in the first place. Backers of RSDs correctly assume that “failing schools” are merely symptoms; failing districts are the disease.

To conduct a deeper investigation into these alternative arrangements, we enlisted Nelson Smith, former head of the National Alliance for Public Charter Schools and now senior advisor to the National Association of Charter School Authorizers (NACSA). Nelson has also held senior positions at the U. S. Department of Education, the D.C. Public Charter School Board, and New American Schools, and he is keenly aware of the challenges endemic in forging alternative educational options for kids.

He jumpstarted the series in spring 2013 with an in-depth profile of the [Tennessee Achievement School District](#) (ASD), followed by a fall 2014 case study of [Michigan's Education Achievement Authority](#) (EAA). (A

precursor to the current series was [his report](#) on Louisiana’s original RSD and its lessons for Fordham’s home state of Ohio.) All three papers provide a detailed history of formidable challenges that these novel arrangements have faced in their respective states.

What you now have before you is the “capstone report” of this series, in which Nelson provides updates to his earlier reviews of the RSD initiatives and adds a comprehensive cataloguing of similar initiatives underway and under consideration elsewhere. No other report—we’ve looked!—provides comparably comprehensive and thought-provoking analysis of turnaround districts and kindred efforts.

Nelson explains the status of such districts in thirteen states—some of which have crashed and burned, but others of which are very much alive. As we write, a bill creating a turnaround school district just passed in the Nevada legislature; lawmakers in Pennsylvania and Wisconsin are giving serious consideration to similar districts in their states. The number of states undertaking this hugely promising but highly challenging (and endlessly varied) reform might double by mid-summer. What’s clear from the nearly twenty policy and governance recommendations contained herein is that these states and others have a lot to learn from both the failed and the successful attempts.

Here are a few of the report’s key takeaways for policymakers considering following in the footsteps of Louisiana, Tennessee, and other pioneers:

- 1. Call your lawyer.** A close reading of the state constitution is essential. Some states are so wedded to traditional forms of “local control” that setting up a state district will require fancy legal footwork, if not a constitutional amendment. (That’s the case in Georgia.) It may be worth taking on this challenge, but it’s wise to know what’s in store.
- 2. Decide the endgame—for both schools and the turnaround district.** Apart from setting goals for school performance, other decisions must be addressed—and the earlier the better. For example: Who decides if a school returns to its home district? What conditions must the home district fulfill, both before and after any such return?
- 3. Expect course corrections.** Running a statewide district is a huge, complex undertaking full of political, financial, and logistical challenges—not to mention the myriad crises and complications that always arise in institutions serving real children. Leaders need to pay close attention to real-time developments, build in feedback and reflection points, and be ready to pivot when results aren’t there or public support starts to evaporate. Sometimes even turnaround efforts need to turn around.
- 4. Give the locals a chance.** After taking over failing schools, reformers sent by the state may want to clean house and start fresh with a whole new cast of characters. But attracting new talent is not easy—and even dysfunctional systems usually have some able (if underutilized or miscast) people working there. Incumbent staff should be given the opportunity to apply for work under the new arrangement and prove that, under different circumstances, they can shine.

As with virtually everything in education reform, when it comes to the design of turnaround districts, details truly matter. If these entities are to succeed where other school turnaround efforts have failed, they would do well to learn from the early wins and losses in Louisiana, Tennessee, and Michigan. If you are a policymaker or advocate thinking of proposing a turnaround district for your state, consider these pages required homework. And if you walk away thinking this will be easy, please go back and read them again.

Acknowledgments

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INTRODUCTION

Recovery, Achievement, Opportunity, Transformation: these are the titles and aspirations of statewide “turnaround” school districts whose mission is to take over failing public schools and move them quickly to an acceptable range of performance. For all their complexity and variation, turnaround districts have two things in common. One, they give impatient state policymakers a potentially powerful new tool for dealing with perennial school dysfunction. And two, they put existing districts on notice that the revered notion of “local control” must give way if it fails to deliver results for students stuck in lousy schools.

As of early 2015, there are three such districts up and running: the Louisiana Recovery School District (RSD), created in 2003 but expanded dramatically in 2005 to encompass nearly all schools in New Orleans; the Tennessee Achievement School District (ASD), created in 2012; and Michigan’s Education Achievement Authority (EAA), also created in 2012.

Each was examined in earlier reports published by the Thomas B. Fordham Institute. This paper looks back across these three initiatives, and also forward to others planned, launching, or contemplated. And it seeks to identify lessons for other states grappling with how to address their lowest-performing public schools.

In conjunction with a wider exploration of school governance issues co-sponsored by the Center for American Progress, the Thomas B. Fordham Institute has published reports on the Louisiana, Tennessee, and Michigan turnaround districts, all by the current author. Each provides comprehensive background on the districts’ structure, financing, and performance, which are briefly updated here. These reports are available on the Fordham website.

While not spreading like wildfire, the idea of turnaround districts has caught the imagination of leaders in a growing list of states. The governors of Georgia, Nevada, and Texas have laid the groundwork for new statewide zones. Policymakers in Mississippi, Wisconsin, Utah, Arkansas, and Missouri have pushed proposals forward with varying levels of success, and the notion has recently resurfaced in South Carolina. Variations on the theme keep popping up, either as half-measures in states such as Delaware and Connecticut or in state-led receivership schemes that stop short of creating an actual “district.” These exist already in Massachusetts and Pennsylvania, and Governor Andrew Cuomo won a version of that authority in the New York State budget approved in April 2015.

All of these involve the reshuffling of governance authority between state and local players. While touching lightly on all, this paper focuses mainly on state reforms that take over schools, rather than districts, and that assume “LEA” functions for those schools—the mundane routines of oversight, administration, and finance that a local education agency (a.k.a. a conventional school district) ordinarily performs.

What's driving the recent efforts is frustration with longstanding school failure, not the lure of federal grant money that helped push the first three districts into being. To wit:

- The RSD, conceived originally as a modest pilot program that had awarded turnaround charters for just four schools prior to Hurricane Katrina, was dramatically enlarged by Louisiana policymakers as a way to get public schools open after the ensuing floods, and was propelled by more than \$20 million in federal charter school funding.
- The Tennessee and Michigan districts were both created in response to the Obama administration's Race to the Top program, which required states to take action on their bottom-five-percent schools. Tennessee won a \$22 million, five-year grant in the initial round, which helped pave the way for the ASD's relatively smooth opening. Michigan proposed to create a state district in its application; when it did not win the grant, then-Governor Jennifer Granholm worked with legislators to authorize the infrastructure for a state district anyway. Without the federal dollars, the EAA required substantial private funding to get off the ground.

The U.S. Department of Education continues to offer School Improvement Grants (SIG) that defray the costs of school turnarounds and are targeted toward the bottom 5 percent of public schools in each state. But nothing in that program requires a consolidated, statewide approach that clusters low-performers into a separate district. (And as Congress limps toward reauthorization of the Elementary and Secondary Education Act, or ESEA, political support for continuing the SIG program is ebbing.)

Veterans of state turnaround efforts are playing a Johnny Appleseed role. Former Louisiana State Superintendent Paul Pastorek is advising leaders of several states in the planning stage on the dynamics of setting up recovery districts. Neerav Kingsland, former head of New Schools for New Orleans (NSNO), has also been called in for consultations. Chris Barbic, superintendent of the Tennessee Achievement School District, has weighed in to support a proposal for a similar district in his former state of Texas.

Compared to What?

A review of research on school turnarounds by the Center for American Progress (CAP) found compelling evidence that school turnaround is possible and occurs “when districts take aggressive steps.” These include “aggressive action on the part of school districts, resources and requirements, governance and staffing changes, data-driven decision making, and a focus on school culture and nonacademic supports for disadvantaged students.”¹

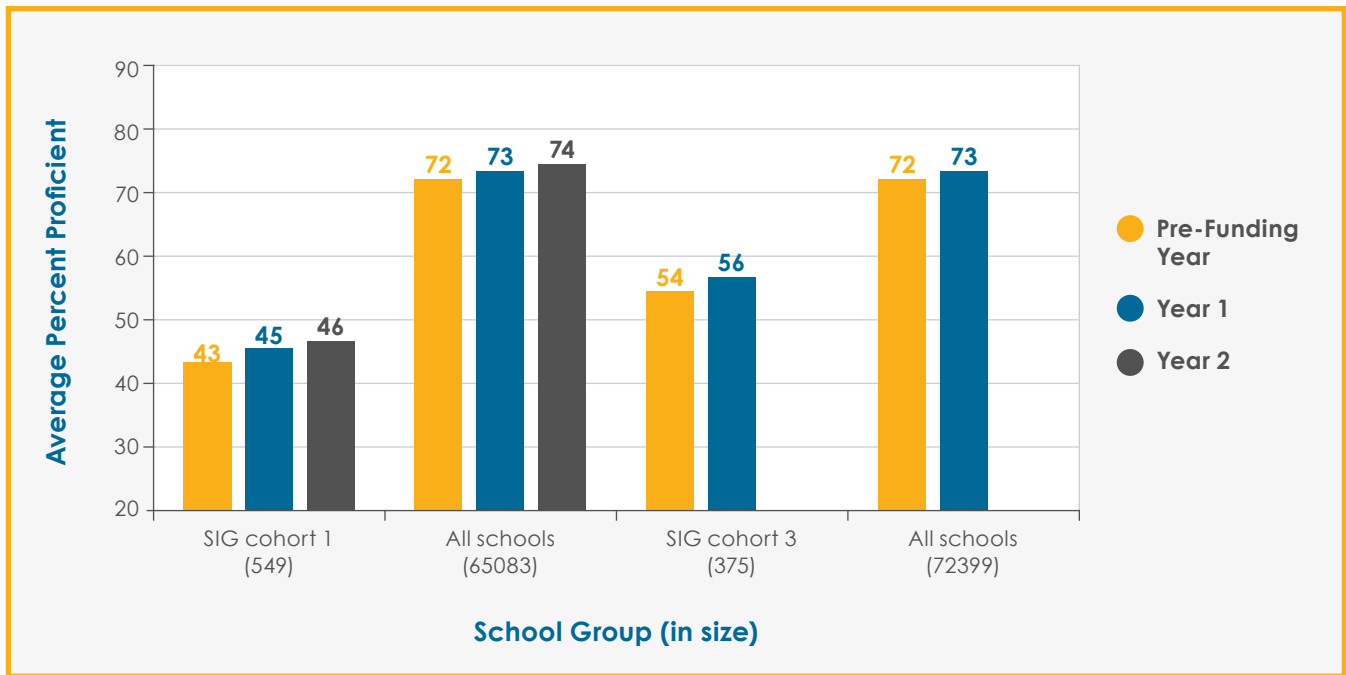
No intervention is more aggressive than shutting down a school, and as evidence from Chicago shows, that drastic step can promote higher achievement if there's a sufficient supply of better-performing schools nearby (and if parents choose them, which is not always the case).² If state law permits, a variant on this is to convert low-performing schools into charters. This alternative has been on the books since the No Child Left Behind Act (NCLB) was signed in 2002, and it is the toughest of the available NCLB consequences.

By creating turnaround districts, however, states can bundle a coherent set of incentives, practices, and options—including the authority to create charter schools—into a single package. By definition, they supplant the authority of local districts, in part because it is so difficult for districts to take such emphatic measures. (As the CAP report drily notes: “Because aggressive turnaround efforts are by nature disruptive, they are often contentious within a community.”)

Between local politics and the multitude of legal and institutional constraints faced by local school districts, it's not surprising that conventional school turnaround efforts have a pretty dismal track record. Andy Smarick, a policy analyst who has studied a variety of turnaround schemes, cites a telling comment by the U.S. Department of Education's Institute of Education Sciences (IES) in a publication ostensibly designed to help guide such efforts. IES cautioned, "All recommendations had to rely on low levels of evidence," because it could not find any rigorous studies showing that "specific turnaround practices produce significantly better academic outcomes."³

As indicated, the main federal effort specifically aimed at improving our worst-performing schools is SIG, which has dispensed billions through state agencies to schools and which provides a menu of improvement options. As night follows day, districts have overwhelmingly chosen the least-drastic steps—training teachers and hiring "turnaround specialists" but not disturbing the deep organizational roots of educational deterioration. Large-scale evaluations show that while two-thirds of SIG schools improved in reading and math, the gains were tepid—about the same as other schools that didn't receive infusions of funding.⁴ (See Figure 1.) The other third actually lost ground.

Figure 1: Average Proficiency Rates of SIG Schools in Reading (2009–2012)



Source: Andy Smarick, "SIG: The Disaster Continues," Flypaper (blog), February 14, 2014

These are averages, of course, and exceptions can be found amid the unimpressive results. Replacing a plodding principal with a dynamic new leader is always a good idea and may pay off handsomely. Dispatching extra resources into a troubled school can work, provided it's tied to serious reform.

But the turnaround-district concept is not fundamentally about resources; it's about establishing and then earnestly pushing toward radically higher expectations for schools that have been written off as failures. One can't help but notice that opposition to such endeavors has mostly been driven not by voices demanding other kinds of rigorous change, but by those defending the status quo: local control, local prerogatives, untouchable teacher contracts, and the preservation of adult jobs. And there is the problem—a state trying to confront broad swaths of dysfunction is far less likely to succeed if its dysfunctional schools are stuck with the same staff, leader, school board, and comatose or corrupt central office.

So let's be clear: The real comparison is not between one kind of bracing rescue effort and another. It's between taking the risk of major, disruptive change and settling for the kind of timid, safe steps that leave thousands of kids in failing schools, desperately awaiting help.

EXISTING TURNAROUND DISTRICTS: HOW ARE THEY DOING?

Louisiana Recovery School District

Status

Writing about the RSD as a turnaround district in 2015 is challenging because its age, origins, and scale are so different from those of the other two active districts. The question raised by the RSD today is less “Can a turnaround district work?” than “Can an all-charter district work?”—since that’s what it officially became in May 2014, when it closed the last five of its direct-run campuses.⁵ (That move also slimmed the RSD’s staff from 568 employees to just ninety-two, and reduced its central office budget from \$306.9 million in the 2012–13 school year to \$19.6 million in the 2014–15 school year.)⁶

While the RSD is 100 percent charter, the city of New Orleans has about 92 percent of students in charters. Among its eighty-two public schools are six run directly by the Orleans Parish School Board (OPSB). OPSB also oversees fourteen charter schools; there are four charters that report directly to the state board of elementary and secondary education (BESE), which also has one “independent school.” RSD oversees fifty-seven charter campuses.⁷

As the predominant public education provider in New Orleans (while also overseeing a few charter schools in Baton Rouge and Shreveport), the RSD is now grappling with how to serve all students and families well, not just those trapped in a few low-performing schools. For instance, what’s the best way to create a viable system of special education delivery in a network of autonomous schools? How do you implement citywide public school choice without having a crazy quilt of options that drives parents nuts?

There’s been some progress on these fronts.

- The RSD has become the citywide service center for policy and practice on the sensitive topic of student expulsions. It worked with the other New Orleans school systems to fashion equitable new guidelines and now manages the process for all schools through its Student Hearing Office. By eliminating such fuzzy grounds as “willful disobedience,” the RSD has seen a 45 percent drop in its own expulsion numbers the past year, with a number of schools adopting less severe intervention strategies.⁸ Citywide, there’s been a 25 percent drop in expulsions.⁹
- The citywide enrollment system known as One-App is now in its fourth year, sparing parents the need to deposit separate applications at numerous schools. (An important side effect is that participating schools don’t create waiting lists. Students are simply moved to alternate openings, and 80 percent of parents got one of their top three choice schools in 2014.)¹⁰
- The RSD and OPSB moved toward settlement of a 2010 lawsuit by the Southern Poverty Law Center alleging failure to provide special education services mandated under federal law. The consent decree includes audits and an appointed monitor to keep an eye on special education compliance across all public schools.¹¹
- The Brookings Institution ranked the RSD first among more than one hundred large school districts nationwide in its 2014 Choice and Competition Index, based on its ample variety of school choices and well-developed support structures.¹²

There will never come a day when every critic and commentator agrees that the RSD has been a good thing for children or the body politic. Nearly a decade after state leaders modified the RSD's entry criteria to expand its reach and subsume most New Orleans public schools, some bloggers and activists still decry the move as a conspiracy against democratic self-government. To some in the community, the mass dismissal in 2005 of a mostly African American teaching corps—not carried out by the RSD, but by the bankrupt post-Katrina OPSB—is a continuing insult. Yet a class-action lawsuit by the teachers, after years in the state's judicial system, was finally dismissed in October 2014 by the Louisiana Supreme Court, putting to rest the legal questions (if not the political controversy) surrounding one of the most traumatic episodes of the initial takeover period.¹³

Results

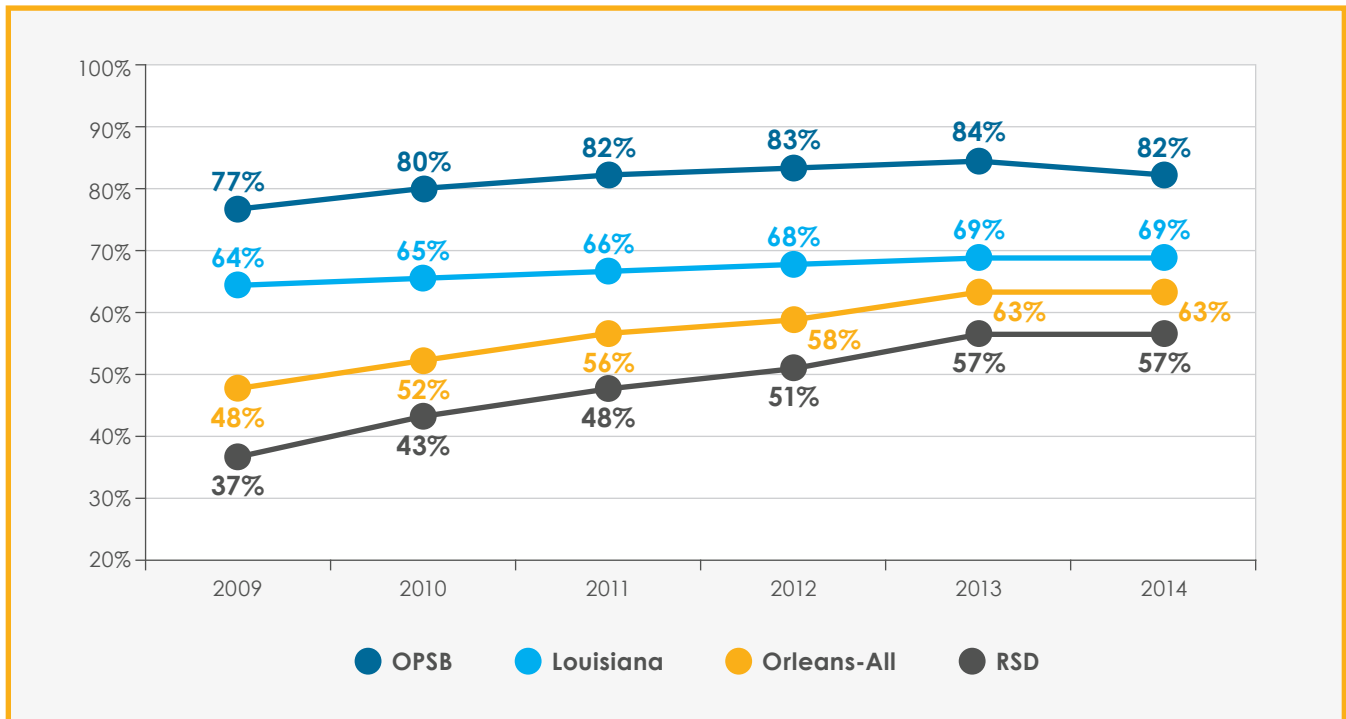
One sign of success is that while RSD schools have had the option of returning to OPSB jurisdiction since 2010, so far just two out of thirty-six have chosen to do so.¹⁴ (It will probably not help the OPSB's cause that school board member and former President Ira Thomas, a fierce RSD critic, was indicted on bribery charges in March.¹⁵)

Long-term, the improvement is impressive. According to RSD Superintendent Patrick Dobard, just 23 percent of Orleans Parish students were attaining proficient scores on state standardized tests when the RSD took over most of them. By 2013–14, 57 percent of RSD school students scored proficient.¹⁶

Critics raise questions about whether these apparent academic gains are simply the result of a gentrifying city whose students are better off than those of the pre-Katrina school district. Critics also say that, for all its efforts, the RSD's district-wide score on the state accountability index is just a middling C—and that it climbed above the prior year's D only because the state recalculated letter grades in a way that decreased the number of F-rated New Orleans schools from eighteen to eight. But that change was principally driven by the addition of a growth measure, which is an indispensable tool for examining the progress of disadvantaged students. It made hardly a ripple in overall state ratings but showed that students in some RSD schools were moving along at a good clip, if not yet meeting benchmarks for absolute proficiency.

The argument about changing demographics also carries little weight when judged against the past five years, when the student populations served by the various systems have settled into their current patterns.¹⁷

Tulane University's Cowen Institute issues annual reports on New Orleans school performance, and its most recent edition examines progress over this period. With respect to grades K–8, the Institute says, “the percentage of public school students in Orleans Parish at and above basic has increased 15 percentage points since 2009. RSD schools have been the main driver behind that increase, having grown 20 percentage points.”¹⁸ (See Figure 2.) Doing so has put RSD schools within shooting distance of the statewide average, which has risen just 5 percent in the same period.

Figure 2: Percentage of Students Basic and Above, All Subjects, Grades 3–8, 2009–14

Source: Louisiana Department of Education, *State/District/School Achievement Level Summary Report, 2009–14*

As for the high schools, the report notes, “Though New Orleans’ RSD students still rank near the bottom in the state, their scores improved at the third fastest rate in the state between 2009 and 2014 with an increase of 34 percentage points.”

And in 2013–14, RSD’s New Orleans high schools kept pace with a citywide increase in college attendance, as 47 percent of its alumni enrolled in college immediately following high school graduation. While this still trails the citywide rate (driven in part by selective high schools overseen by Orleans Parish), it’s a 4 percent increase from the prior year.¹⁹

Because changes in accountability scores and index ratings have affected the entire state, not just the RSD, another way of eyeballing progress is to compare New Orleans’s performance to that of the state. Before Katrina, the city was just about at the bottom of the barrel as measured by the state’s District Performance Score. It hasn’t risen to the top (and actually fell back a bit from 2013 to 2014) but has moved solidly into the middle range.²⁰ (See Table 1.) And as Figure 2 shows, this was largely driven by the powerful gains in RSD schools, which have closed the gap between recovery district and statewide performance from 27 percent to 12 percent in the span of just five years.

Table 1: New Orleans District Rank Over Time

2005	67th out of 68 districts – second to last
2012	51st out of 69 districts – in the bottom third
2013	38th out of 69 districts – close to the middle
2014	41st out of 69 districts – fell three places

Source: Leslie Jacobs, “School Performance Scores Released,” *Educate Now!*, October 21, 2014, <http://educatenow.net/2014/10/21/2014-school-scores-released/>

Remember that RSD schools were, by definition, those that performed worst in 2005; even today, more of their students are faced with adverse circumstances than those of their OPSB peers. As of 2014, for example, about 56 percent of students in charters overseen by the state board of elementary and secondary education were eligible for free or reduced-price lunch (FRL). The figure for charters overseen by Orleans Parish School Board was 61 percent. OPSB’s direct-run schools and RSD charters both have FRL rates over 90 percent.²¹

A study by analysts from the National Bureau of Economic Research and MIT recently examined student-level gains in “takeover” schools in Boston and New Orleans—in the latter case, eleven direct-run RSD schools that were put under charter management since 2008. The findings were striking: “Charter school takeovers in the New Orleans Recovery School District appear to have generated substantial achievement gains for a highly disadvantaged student population that enrolled in these schools passively.”²² This study is of particular interest since the students remain in place—so there’s no question of “creaming” or of results being impacted by those legendary “highly motivated parents.” It’s the change in school operation, shepherded by the RSD, which accounts for the difference.

Table 2: Change in ACT Scores for Louisiana Students (2005 and 2014)

	Class of 2005	Class of 2014	Change
OPSB	19.7	20.5	0.8
Schools transferred to RSD	14.4	16.4	2
New Orleans (OPSB + RSD)	17	18.4	1.4
Louisiana	19.8	19.2	-0.6
National composite ²³	20.9	21.0	.1

Source: Leslie Jacobs, “School Performance Scores Released,” *Educate Now!*, October 21, 2014, <http://educatenow.net/2014/10/21/2014-school-scores-released/>

Impressive, yes, but are these gains moving far enough, fast enough? One important outcome measure suggests that, for all the positive news, there is still quite a distance to go. In the fourteen OPSB high schools taken over by the RSD in 2005, scores on the college aptitude ACT tests have improved, moving from 14.4 to a peak of 16.8 in 2012 and settling back to 16.4 by 2014 (see Table 2). That’s still the largest gain of any district in Louisiana—and it happened even as the tested pool widened. (About 40 percent of graduates in the 2005 OPSB high schools didn’t take the test; now the ACT is mandated by the state.) Yet the RSD still lags behind the state average (19.2) and is significantly below the 21.0 national composite average.

So while the RSD turned around the downward trajectory of many New Orleans schools and pointed them toward success, those schools are still far from producing the “college and career readiness” that students need today. Just 12 percent of RSD pupils were at the Mastery level on the 2014 state exams, compared to 42 percent in the OPSB schools—yet in the interest of comparing apples to apples, note that six of the OPSB schools, charter and non-charter, have academically based admissions requirements.^{24, 25}

Tennessee Achievement School District

Status

The great majority of Tennessee schools in the bottom 5 percent are located in Memphis, and each year the ASD selects a few more of them for inclusion in its portfolio. Concurrently, the ASD runs an application process through which potential school operators are vetted and matched with schools, hewing close to the recommendations of a community-based advisory council.

While the ASD continues to manage five schools directly, it’s moving in the direction of greater independent management: During 2014–15, the ASD portfolio held five district-run schools and eighteen charters. Six more charters will be added in the 2015–16 school year in Memphis and one more in Nashville, bringing the ASD student population to ten thousand.²⁶

The ASD has run into some hiccups in the school-to-operator matching process over the past two years. Two of the operators approved in the 2014 cycle, KIPP and Memphis-based Freedom Prep, withdrew from consideration to manage ASD schools in October, citing capacity concerns.²⁷ The next month, Green Dot (the Los Angeles-based nonprofit charter network that had already taken over Fairley High School the prior year) withdrew following a storm of protests among students and teachers at their designated partner, Raleigh-Egypt High School, as well as public opposition from Shelby County Schools Superintendent Dorsey Hopson (most of the ASD campuses are located in or around Shelby).²⁸ KIPP has since resolved its issues and is now planning to open a new elementary campus to join its existing middle school. After doing more intensive community outreach, Green Dot has been selected to operate Wooddale Middle School beginning in the 2015–16 school year, with little visible opposition so far.

Hopson’s Choice

Though Barbic maintains a cordial relationship with Hopson, the Shelby superintendent has been playing hardball on one point. In fall 2014, he proposed closing under-enrolled schools and consolidating their student bodies rather than turning the buildings over to the ASD, and moving hundreds of Shelby County students out of buildings already housing so-called “phase-in” models under which ASD charter operators could open new schools one or two grades at a time. Approved by the Shelby County school board in March, the plan effectively ends such colocation arrangements.²⁹

The phase-in model has been used by most of the ASD's partners; it helps ensure enrollment and restrains facilities costs that are defrayed by the host district. (Of course, from Shelby County's standpoint, the incentives cut the other way: Pay now, lose students later.) Three of this year's operators were planning on "phase-in" openings, and the county's decision essentially forces them to take over whole buildings. But one, the highly successful Yes Prep—founded by Barbic—announced that it would pull out of a commitment to take over Airways Middle School beginning in August. Under the Hopson plan, Airways will now close.

The colocation decision puts pressure on enrollment at a critical time for the ASD. With its five-year Race to the Top grant expiring at the end of this school year, the district is looking to other sources of revenue. One measure, just passed by the state legislature and headed to Governor Bill Haslam's desk for signature, will provide a 3 percent oversight fee to the ASD. The bill will also allow up to 25 percent of the student population at ASD schools to reside outside the school's neighborhood zone, providing that students are low-income and have performed poorly on state tests (or that they are children of school staff). This is a significant departure from the original plan.³⁰

Supporters say there's more than a financial motive for the zoning measure. Greg Thompson, CEO of the Tennessee Charter Center, a nonprofit support group, points out that "these schools were already drastically under-enrolled [before state takeover]."³¹ And Barbic sees it as a matter of choice, as parents do their homework: "This is less about not being full; and it's more about just giving families an option if they want to send their kid to one of our schools."³²

Critics declare that ASD is simply failing to retain students. According to a Vanderbilt University study, there may have been some validity to this concern in the district's initial year (2012–13), when there was an 18 percent net outflow of students. But by 2013–14, the trend had reversed, with a small net in-migration. The researchers add: "This may suggest that if there were some initial concerns by families, these concerns may have been alleviated by the second year under ASD control."³³

The ASD can certainly breathe easier than seemed possible at the opening of the legislative session, when it faced a spate of bills designed to abolish it, curb its hiring authority, and otherwise rein it in. Of twenty-two such bills, only two survive, and neither will make much of a dent in the District's ability to operate.³⁴

Political headwinds aside, there's some evidence of growing comfort with the ASD among parents and community leaders as they develop confidence in school operators. Some of this stems directly from decisions made by Barbic and his team. Rather than plucking schools at near-random from around the city (as the EAA has done in Detroit), the ASD is trying to maintain community cohesion by working with existing school feeder patterns. In the Frayser neighborhood, where every one of the area's fourteen public schools qualifies for the "Priority" label, ASD has assumed management of five schools over the past two years. Initial antagonism has given way to a wary but productive partnership. In an interview, Sonya Smith, the Frayser Neighborhood Council's education chair, remarked: "The only way we win is that you guys win....We're in it together."³⁵

Results

The ASD set out an explicit, ambitious goal: to take schools in the bottom 5 percent and move them to the top 25 percent in proficiency, not growth, within five years. And of course, intense scrutiny has followed. According to the ASD's own second-year report, three of the six schools in its initial (summer 2012) cohort are on track toward

that ambitious goal. The ASD reports modest gains across grades 3–8 and more impressive gains in high school, with ASD students far outpacing state-level gains in algebra, English, and biology.³⁶ And among the schools using the “phase-in” approach, schools averaged a twenty-two-point gain in reading proficiency on the state assessment, and a sixteen-point gain in math last year.

Other analysts, to be sure, reach different and less positive conclusions. A blog called *Bluff City Education*, which hosts lively (and often contrasting) opinions about Memphis schools from local teachers, published some thoughtful but tough analyses of ASD performance after last year’s state test results were released.

One took aim at the ASD’s “top 25% within five years” goal and found the current trajectory wanting: “ASD would have to average 11.07% gains in Math and 12.67% gains in ELA over a 5 year period. However, in the last two years, the ASD has averaged 2.92% gains in Math and 0.72% gains in ELA.”³⁷

Another compared the ASD’s early results with those of the Shelby County Innovation Zone and concluded that “it seems apparent that the local turnaround effort has resulted in greater gain in achievement than state-run efforts.”³⁸ The “I-Zone,” as it’s called, is the district’s own turnaround entity, using SIG funding to install new staff and programs at thirteen Priority schools that were not transferred to the ASD. It’s performed well enough that six of those schools came off the state’s Priority list in new rankings announced last August.³⁹ The blogger is likely correct that, on average, I-Zone schools are making superior gains.

But ASD leaders contend that measures of average performance overlook the fact that ASD takes in new schools each year, and they point to stronger results among the schools under their supervision the longest. The “phase-in” approach also makes direct comparisons difficult, as some new schools lack tested grades.

Here’s ASD Chief of Staff Elliott Smalley: “If you look at our second-year charters, their average composite proficiency growth over two years is 11.2, compared with an average growth of 2.2 over three years in the ten Priority schools on our matching list.⁴⁰ All three of our second-year charters had Level 5 growth last year. Two are off the Priority list. I say this not to suggest that every ASD school is where it needs to be—far from it—but that when it comes to ASD charters with at least two years’ experience running schools, these schools are showing real promise.”⁴¹

Recent statewide data suggests that the existence of the ASD may be producing one desired result: lighting a fire under all districts that house Priority schools in the bottom 5 percent. Overall, improvement on the state’s proficiency-based accountability scale far exceeds that of non-Priority schools statewide. That kind of progress has actually lifted the performance floor. To be ranked in the bottom 5 percent in 2012, a K–8 school had to score less than 16.7 on the state’s hundred-point SSR (School Success Rate) scale. As of 2014, the SSR cutoff for the Priority list had risen to 23.1.⁴²

Whatever the test data say, the most important stakeholders seem satisfied with the District’s work. Eighty-six percent of ASD parents rated their children’s school an A or B in the most recent satisfaction survey.⁴³

Michigan Education Achievement Authority

Status

The EAA was conceived as a statewide turnaround district but operates only in Detroit after failing repeatedly to win legislative permission to expand. In the brief time since we reported on the EAA in autumn 2014, detailing its wobbly start and the disappointing academic results of its fifteen schools (twelve direct-run and three charter), much has transpired. The Authority is still walking on eggshells politically, but vigorous and candid new leadership is giving it a chance at success.

Veronica Conforme, the former chief operating officer of the New York City school system, was appointed as interim EAA leader after the resignation of John Covington in June. While keeping a generally low profile during her early months in office, she set about recruiting new talent for the central office and took steps to counter the perception of loose financial and ethical standards. This was accomplished by tightening up the rules on use of EAA credit cards and setting up an ethics hotline where staff and community members can report “improper contractor activity, conflict of interest, and EEOC or ADA matters.”⁴⁴

On one critical measure of operational performance, Conforme was able to report in October that actual enrollment for the current school year would total approximately 6,500 students, slightly exceeding the EAA’s budget projection and stemming the precipitous drop that followed year one.⁴⁵ (See *Results*, pg. 19.)

The tempo and depth of change picked up quickly after Conforme was named chancellor in November. In January 2015, Deputy Chancellor Mary Esselman left; she was a Covington appointee who had been working with him on the Authority’s “student-centered learning” approach since their prior posting in the Kansas City school district. They had brought in a Utah firm, Agilix, to implement the online Buzz platform used in all twelve of the EAA’s direct-managed schools.

A Request for Proposals for new charter operators was issued in December, and it contained a harbinger of things to come. The EAA had never set hard targets like those of the ASD, but the RFP did set an explicit performance target: “Within three years of operating a school, the EAA will challenge its turnaround and new school start-up partners to achieve results in the top 50% of schools in Michigan.” That is the same interim target set by the ASD on its way to raising its schools from the bottom 5 percent to the top 25 percent—and as the early results from Tennessee indicate, it’s a heavy lift. In an interview, Conforme indicated that was a deliberate choice: “It’s important to have a quantitative exit goal,” she said, adding that it will probably apply to all schools at some point.⁴⁶

The Authority had sought charter operators before with meager success (an initial field of twenty-three interested operators was whittled down to just one that was qualified and still interested). By the January 31 deadline, seven responses were received from experienced operators and additional start-up contenders, but few of the “brand-name” national outfits were among them. A community-based team of reviewers was assembled to review the proposals (through a process developed by NACSA), including participants from the Detroit Parent Network, the YMCA, and Black Family Development, as well as EAA and EMU officials and two parents of EAA students.

But this RFP begs the question: What schools will successful bidders get to operate? The only existing EAA charters are three campuses managed by the Performance Academies network, and that contract expires in June. The RFP implies that some of the current twelve direct-managed schools could also become charters, in a process essentially the same as that used by the Tennessee ASD: “The EAA will engage in a process of reviewing proposals submitted by potential operators, engaging community stakeholders, selecting high quality operators and matching those operators with schools in need of a turnaround/start-up strategy.”⁴⁷

In an interview, Conforme said “everything is on the table” in terms of school management; her main concern is getting talented leadership. That could be done directly through hiring and developing school principals (she’s already replaced three) or via charter contracts that would bring in top-caliber talent through another door. But there’s no single criterion at this point for determining which schools will be matched to charter operators—and it’s entirely possible that none will be this year. When the decisions are made, the EAA will consider both academic outcomes (not just test scores, but also graduation rates and other measures) as well as leadership and school climate. Conforme said of the twelve direct-run schools, “They are making progress, but not fast enough, and we need to consider making changes that will accelerate the rate of student achievement.”⁴⁸

That comment is telling. Recently Conforme has repeatedly expressed, in blunt terms, her impatience with the pace of improvement in EAA schools. This is a sea change in the Authority’s public disposition. When confronted with stagnant or declining scores on the MEAP, Michigan’s state test, her predecessor would cite internal Performance Series assessments, which did show some growth—an average of 1.1 years of gain in Covington’s final school year.⁴⁹ But Conforme simply says that the rate of improvement is unacceptable, period. Despite “some clear successes” and visible improvements in safety and learning environments, “student achievement has not improved at a fast enough pace.”⁵⁰

The EAA is developing a new suite of accountability measures, including a quantitative performance framework and a new School Quality Review, and creating new support networks to serve schools from a streamlined central office. The central office team is currently reviewing the Authority’s entire assessment program and will soon disclose which instruments will stay or go, but Conforme is emphatic that administrators and principals have to consider proficiency and not just growth. Interim tests can’t serve as the only benchmark: “You have to have both!”⁵¹

On February 17, 2015, the chancellor announced sweeping new policies that will give all EAA schools, charter and state-run, additional autonomy over programs, resources, and professional development. Rather than following a single, centrally designed and mandated school model, building leaders will be able to chart their own path toward the Authority’s outcome standards. That doesn’t mean the EAA will ditch the Buzz platform itself, whose bug-filled launch (no pun intended) led to frustration among teachers and school leaders. In fact, EAA has spent a good deal of time in the last few months fixing glitches. But there will be greater latitude at the school level in terms of the content and applications it hosts.⁵²

EAA’s Achievement Leaders Academy, through a partnership with the nonprofit TNTP, will provide training for school leaders who will take the reins of EAA schools in the 2015–16 school year (and longer-term, to “create a pipeline of skilled candidates to run Detroit’s schools for years to come”).

The External Environment Remains Challenging

Governor Rick Snyder was elected to a second term in November 2014, which assured some continuity since he appoints leadership for both Detroit Public Schools (DPS) and Eastern Michigan University (EMU), the two parties in the Interlocal Agreement that created the Authority. In January, Snyder named Darnell Earley, the emergency administrator of Flint, Michigan, as DPS's fourth emergency manager. And with a majority of new Snyder appointees, the regents of Eastern Michigan University voted in December to remain in the agreement for one more year.

But EMU is a restive partner. Acknowledging the tumult that the agreement has caused—EAA's unpopularity led to student and faculty demonstrations and refusal by some local districts to hire EMU students for teaching positions—the regents' resolution was cast as a notice to withdraw unless there is "substantial progress" in the following areas: "A stronger partnership is forged between Eastern Michigan University and the EAA; demonstrated student achievement and progress in EAA schools; fiscal accountability; and complete transparency of all activity, including prompt and appropriate responses to requests made under the Freedom of Information Act."⁵³

While keeping the EAA wheels turning, the governor is clearly aiming at bigger game: jump-starting academic progress in Detroit and rationalizing the city's overlapping school-governance map. DPS oversees 103 traditional schools and thirteen charters; the EAA includes twelve direct-run and three charter schools; and an additional 112 charters are authorized by the Wayne County regional service center or one of nine colleges and universities that have statewide reach under Michigan's 1994 charter law.⁵⁴ In his January State of the State address, Snyder remarked that "we have an uncoordinated educational environment...that is not creating success for our students."⁵⁵ And he asked that the Coalition for the Future of Detroit Schoolchildren, a thirty-six-member body convened by the Skillman Foundation, deliver by March 31 a set of recommendations to address both the governance maze and DPS's acute fiscal woes.

The group, which included ministers, union and civic leaders, and charter representatives, delivered their report a day early—and the result may have been more than the governor bargained for. The Coalition did more than just call for a new Detroit Education Commission to "coordinate and rationalize city education functions" such as school openings and closings. It also proposed returning schools to DPS supervision, reinstatement of the elected Detroit school board, and state assumption of the school system's staggering debt.⁵⁶

Snyder quickly dispatched the last item, saying the state simply did not have the resources to take on the DPS arrears.⁵⁷ But he deferred comment on the other items pending announcement of his own reform plan.

Press reports said the Coalition wanted to abolish the Education Achievement Authority. Actually, they said its mission should be inherited by the State School Reform Office, a difference in form rather than function.⁵⁸ Skillman Foundation CEO Tonya Allen later clarified that the Coalition regarded the Interlocal Agreement between DPS and EMU as a "workaround," and added, "Instead of establishing an entity outside of the current construct of the law, we are proposing that the state entity take responsibility for this effort."⁵⁹

It must have been pure coincidence that early in his new term, the governor had issued an executive order moving the State School Reform Office out of the state education department (which is overseen by a generally hostile state board) and into the Department of Technology, Management, and Budget, which reports to him.⁶⁰ With these and other chess moves yet to come, Michigan may get an actual statewide—not Detroit-bound—turnaround district, although it may no longer be known as the “Education Achievement Authority.”

Results

A roughly 25 percent drop in enrollment after the EAA’s first year drew headlines. Little noticed was that it followed historic trends for the schools taken over: Between 2007–08 and 2013–14, enrollment at EAA schools declined by an average of 13 percent per year. Enrollment stabilized between the 2013–14 school year and the current one, according to preliminary numbers. And while all fifteen EAA schools saw enrollment decline between 2012–13 and 2013–14, six schools saw enrollment increases between 2013–14 and 2014–15.⁶¹

Though academic turnarounds take time, efforts to create a healthier school climate seem to be paying off. According to surveys conducted by the nonprofit Excellent Schools Detroit, the percentage of students who reported feeling mostly or very safe in their classrooms increased from 56 percent to 64 percent between 2012–13 and 2013–14.⁶²

ACT scores haven’t budged, however. The average ACT composite score at EAA high schools pre-takeover was 13.7. It remained the same in 2013–14.⁶³

There’s more encouraging news on the graduation front. Graduation rates across the EAA’s six high schools took a serious dip in the first year after takeover, dropping from a four-year average of 64 percent in 2011–12 to 54 percent in 2012–13, its first full year overseeing the schools. But there was significant recovery in the EAA’s second year, with the four-year rate moving back up to 62 percent in 2013–14.⁶⁴

In April, State Superintendent Mike Flanagan announced that two EAA schools (direct-run Brenda Scott Academy for Theatre Arts, and Trix Elementary, a charter school) would be among twenty-seven schools removed from the state’s roster of Priority schools in the bottom 5 percent.

There is no new statewide test data to share since our last report, because Michigan has abandoned its idiosyncratic policy of administering state tests in the fall. The Michigan Educational Assessment Program (MEAP tests, newly aligned to the Common Core), will be administered for the first time in spring 2015. EAA has not publicly released any of its internal Performance Series data, which had compared favorably to the district’s stagnant performance in its first year of reporting state test data. For now, EAA’s attention seems focused tightly on getting the ship moving ahead toward demonstrably higher achievement.

AN IDEA SPREADS

Even without Race to the Top incentives, proposals for new statewide turnaround districts continue to pop up. Seven states (Virginia, Texas, Nevada, Georgia, Mississippi, Arkansas, and Pennsylvania) have taken concrete steps toward the establishment of statewide districts, although Virginia's already-enacted district was struck down by state courts. Legislators and reform groups have floated versions of the idea in Wisconsin, Utah, South Carolina, and Missouri. Other states have created what amount to turnaround districts in name only. Still more variations, aimed at individual cities rather than states, have surfaced in York, Pennsylvania and other places, stirring tremendous local controversy. But they are not statewide actions and will not be included here.

In the Works

Arkansas

Legislation to create an Achievement School District (ASD) within the Arkansas Department of Education was introduced in early March 2015 by Representative Bruce Cozart, a Republican. It was designed to give the state additional flexibility in dealing with Little Rock's public schools, already taken over by the state in January 2015. It differed from other statewide zones in that it would take in both individual schools and whole districts that are in "academic distress."⁶⁵

But opposition quickly mobilized. In a city where President Eisenhower deployed federal troops to enforce desegregation in 1957, critics asserted that the ASD would represent a denial of hard-won civil rights. A community meeting just days after the bill was filed drew hundreds of parents, teachers, and politicians, plus ousted Little Rock school board members. On March 18, Cozart pulled the bill and said it would not be brought up again in the 2015 session.⁶⁶

Georgia

Governor Nathan Deal floated the idea of a state turnaround district in his first term; following his 2014 re-election, he has made it a cornerstone of his education agenda. In his 2015 State of the State address, Deal proposed an "Opportunity School District" (OSD) to help rejuvenate failing public schools and rescue children languishing in them.⁶⁷ The new district's superintendent would report directly to the governor, and the program would be limited to twenty schools per year.

But Deal's plan must first surmount a high hurdle. Georgia's constitution is strong on "local control," which is why the state's highest court struck down the original version of a statewide charter authorizing body, later reconstituted via a referendum amending the state constitution. Creating a new statewide district will also require a constitutional amendment. On March 27, 2015, Deal narrowly won the two-thirds legislative majority needed to get the measure onto the statewide ballot in 2016. (Its carefully wrought wording should help its chances of passage: "Shall the Constitution of Georgia be amended to allow the state to intervene in chronically failing public schools in order to improve student performance?")⁶⁸

A companion measure to define the OSD's operating structure also won final legislative approval in late March. It follows the general contours of the Tennessee model, prescribing four options for turning around low-performing schools: direct management by the state district; "shared governance," where the OSD superintendent enters into a

contract with the home LEA delineating required changes (as has often been done in Louisiana); closure, in which students at an under-enrolled school can be reassigned to a higher-achieving one; and chartering—but with an intriguing twist in which the existing State Charter Schools Commission (SCSC) would function as the OSD’s charter-authorizing agent.

Under this latter option, schools are given up to two years to complete a set of “readiness benchmarks” that are aligned with the SCSC’s application process. Benchmarks would include items such as the identification of governing board members and service providers, and the satisfactory development of a charter petition.⁶⁹ Those that complete the benchmarks are automatically granted a charter; those that fail stay under direct OSD management. The OSD superintendent will help develop the charter petitions—and can also order termination of the charter contract and retake control if he determines that the school is not making sufficient progress.

Another challenge separates Georgia from other states with turnaround district plans. The state’s lowest-performing schools aren’t located in just one or two cities; of today’s 141 Priority schools, sixty are in Atlanta, with the rest distributed through smaller cities and rural areas. As Maureen Downey of the *Atlanta Journal-Constitution* writes: “I believe Georgia can entice young educators to metro Atlanta to work in schools taken over by the state. I don’t believe the state will be as successful getting young idealists to move to rural Georgia schools that struggle now with recruitment.”⁷⁰

While the wheels turn on the Opportunity District, the governor has also appointed an Education Review Commission chaired by former University of Georgia President Charles Knapp (who also chairs the reconstituted charter commission) to make recommendations by August 1, 2015 on a range of issues including school funding, early education, and teacher recruitment. It’s not clear whether the commission will have direct input on the turnaround district, but one of its goals is to expand school options around the state.⁷¹

Mississippi

Under existing law, the state of Mississippi has authority to put failing districts into a “conservatorship” arrangement; five districts currently operate under such supervision. But some state leaders feel that districts have tended to backslide after the state relinquishes authority.⁷²

Bills to create a statewide Achievement School District were introduced in the Mississippi legislature in 2014 but didn’t make it to a floor vote. The idea was taken up again when, on February 20, 2015, members of the state board of education (SBE) approved a recommendation by the state’s Office of School Performance to establish a task force to consider the ASD idea. The board resolution states, “This task force will study and explore options that are available which could improve student performance in perpetually low-performing school districts in Mississippi. These options include, but are not limited to the combining of ‘one or more’ low-performing school districts into an ‘Achievement School District’ which would be governed and operated by the SBE via the Mississippi Department of Education (MDE).”⁷³

The board set an October deadline for the task force to report back.

Nevada

In his 2015 State of the State speech, Nevada Governor Brian Sandoval urged “comprehensive modernization” of education funding, facilities, and governance—and also proposed that Nevada’s district school boards be appointed rather than elected. Then he added, “[W]e must acknowledge that far too many of our schools are persistently failing....Many have been failing for more than a decade. We must draw a line in the sand and say, ‘No more.’ I am therefore requesting the creation of an Achievement School District.”⁷⁴ He announced that former Washoe County Superintendent Pedro Martinez would be named superintendent in residence with the Nevada Department of Education to oversee the effort. (It was later disclosed that Martinez, whose departure from Washoe was attended by some controversy, would be paid with private funds to help design, but not run, the new district.)

The next day, the state released a list of seventy-eight schools in ten counties that would be eligible for the new District, including two virtual charter schools overseen by the Nevada State Charter School Authority.⁷⁵ The list included twenty-seven Priority schools in the bottom 5 percent, with the rest falling in the bottom 10 percent statewide. Of the seventy-eight schools, twenty are located in Clark County, which envelops Las Vegas and is by far the largest district in Nevada.⁷⁶

In announcing the list of failing schools, State Superintendent Dale Erquiaga expressed hope that the new district might be operational by the 2016–17 school year. In what is perhaps a hint of pushback to come, however, Clark County Superintendent Pat Skorkowsky interpreted this to mean that local officials would be given some time to implement their own improvement plans: “Given the success we have seen with interventions we have implemented in our Turnaround Zone, our Zoom Schools, and the state-designated Priority Schools, we believe we can demonstrate to the state that we are already instituting successful interventions in many of our schools ...[and] will work with the governor to update the list with more current data so we can continue our efforts to address our most challenged schools.”⁷⁷

On March 23, 2015, a bill to set up the Nevada district was introduced in the General Assembly. In late May 2015, the Achievement School District was approved.

Pennsylvania

In April 2015, the ed-reform group PennCAN published a report called *Real Accountability, Real Results*, reviewing the existing turnaround districts (as well as the Massachusetts approach, which leaves schools in the home district) and recommending an ASD-type program in the Keystone State.⁷⁸ In late April, Senate Education Committee Chair Lloyd Smucker (R-Lancaster) announced plans to sponsor such a plan as part of broader initiative to overhaul low-performing schools (including charters, which would be subject to automatic, no-appeals closure if they’re in the bottom 5 percent on the state’s School Performance Profile, or SPP). The Smucker plan will provide local districts with several direct turnaround options, but will also make schools eligible for transfer to the ASD if they are in the bottom 5 percent of SPP for three consecutive years (currently 147 schools) or the bottom 1 percent of SPP for two consecutive years (twenty-eight schools). The great majority of eligible schools would be in Philadelphia.⁷⁹

Texas

During the 2014 gubernatorial campaign, Texas Attorney General Greg Abbott published an education platform that included a statewide turnaround district drawing heavily on the Louisiana and Tennessee models. It drew praise from one prominent education leader, KIPP co-founder Mike Feinberg. “We’ve got to do something with

schools that fail year after year,” he said. “It’s insanity for the state to keep wagging its finger, saying, ‘I mean it! One more year!’ That’s the worst thing that a parent can do with a child. So why would we have that as state policy with schools?”⁸⁰

With Abbott’s election as governor, the proposal is now headed toward legislation as part of a larger reform package, including an A–F grade scale for individual school campuses and a new teacher evaluation system. In a March 3, 2015 press conference announcing the initiative, Lieutenant Governor Dan Patrick said that 148,000 Texas students are “trapped” in 297 schools that have been failing for more than two years.⁸¹

Democratic Senator Royce West, whose earlier bill to create a statewide district failed in the 2013 session, is again taking the lead. His draft Opportunity School District (OSD) bill follows the broad outlines of the Tennessee ASD in most respects. Building on existing options for dealing with low-performing schools, it requires that the state commissioner determine whether the school has instituted “meaningful change” toward improvement (and allows the commissioner to give the local board “extraordinary powers” for two years to address performance deficiencies). If not, it may head to the Opportunity School District.

The bill establishes the OSD as an “intermediate education unit” under the state agency; gives the state commissioner power to appoint its superintendent; funds its students at the same levels as their prior districts; and gives the district chartering authority (though not the ability to approve additional campuses, as is the case with the Texas Education Agency’s conventional chartering powers).

The bill seems intent on leveraging the existence of several high-performing charter networks in Texas, which under present law have an expedited path toward opening new campuses. The proposed OSD can contract with charter operators that have operated one or more open-enrollment charter schools in the state for three or more consecutive years; that, as a district, have rated “exemplary” or “recognized” for three of the preceding five years under the state accountability system; and—a measure that may narrow the field considerably— that have achieved “documented success in whole school interventions that increased the educational and performance levels of students in campuses that received unacceptable performance ratings.”⁸²

Returning a school from OSD to local control is to be negotiated between the commissioner and the home district. It requires an “acceptable level of performance,” but without naming a fixed threshold. It also requires the repatriation agreement to specify continued implementation of the programs that led to the school’s progress.

In late May 2015, the OSD proposal died in the legislature.

Virginia

One state has already faltered in its attempt to emulate the recovery district model. The Opportunity Education Institute, proposed by former Republican Governor Bob McDonnell and passed by the general assembly in 2013, was given a \$600 million line item in his proposed FY2014 budget. But before the Institute could get underway, a judge ruled that the plan violated the Old Dominion’s constitution because it was created by the general assembly rather than by the state board of education, and because it superseded local district control. On the latter point, the court was particularly emphatic: “Insofar as Chapter 4.1 of Title 22.1 of the Code of Virginia purports to divest local school boards of authority to supervise public schools within their respective school divisions, it violates Article VIII of the Constitution of Virginia.”⁸³

Given this unambiguous finding—and in the midst of a campaign to succeed the hobbled McDonnell (which was won in November 2014 by Democrat Terry McAuliffe)—it’s not surprising that the institute’s bill has not been revived. (But who knows? Perhaps Virginia reformers will be emboldened if the forthcoming Georgia referendum succeeds.)

See Table 3 for a summary of recovery efforts by particular states.

Table 3: Recovery Efforts, State by State

State/ District	Tennessee ASD	Louisiana RSD	Michigan EAA	Texas OSD (S.B. 520)	Georgia OSD (S.B. 133)	Nevada ASD (A.B. 448)
Status	In law since 2010	In law since 2003	State district in law since 2010; Interlocal Agreement creating EAA finalized 2011	Proposal died in the legislature in May 2015	Authorizing bills signed by governor; referendum scheduled for 2016 elections	General assembly passed in May 2015
Scale	23 schools, 6,500 students (2014–15)	57 schools, 29,981 students (2014–15) ⁸⁴	15 schools, 6,500 students (2014–15)	Limited to 10 campuses at a time	Up to 20 schools added each year, 100 maximum at any time	Can take 10% of eligible schools each year
Leadership	Superintendent, reports to state commissioner	Superintendent, reports to state commissioner	Chancellor, reports to EAA board, led by governor, executive committee	Superintendent, reports to state commissioner	Superintendent, confirmed by senate, reports to governor	Executive director, reports to superintendent of public instruction
Funding	Schools receive funds equal to per-student state and local funds and an allocation of federal funds	RSD receives state and local portions of Minimum Foundation Program funding plus federal grants that follow students into district	Schools get state foundation funds, no local taxes; EAA itself supported by private funding in opening phase	OSD will receive equal share to the amount the school would have received previously	Equal to district funding, but the OSD may hold up to 3% for administration costs	ASD schools receive same state and local funds as in their prior district; ASD operations funded through General Fund account and 3%

Table 3: Recovery Efforts, State by State (continued)

State/ District	Tennessee ASD	Louisiana RSD	Michigan EAA	Texas OSD (SB520)	Georgia OSD (SB133)	Nevada ASD (AB448)
How are schools designated?	Commissioner can assign any Priority school to ASD	2005 policy: schools in districts with more than 50% of students in failing schools; current policy, schools labeled Academically Unsatisfactory 4 consecutive years	State School Reform Office designates	Assigned by commissioner; must be from a district with 20,000+ students and identified as unacceptable for 2 consecutive years	Must receive rating of F for a minimum of 3 consecutive years	ASD executive director selects 10% of schools on state board list; bottom 5% of elementary and middle; or HS with less than 60% grad rate; or any that NV DOE rates "unsatisfactory"
Direct-run or charter-out?	5 direct-run, but all new are charters; ASD is authorizer	All charter; LA Board of Elementary and Secondary Education (BESE) are authorizers	12 direct-run, 2 charter; EAA is authorizer	Both; OSD is authorizer	Both; State Charter Schools Commission is authorizer for charters	All charter; ASD is authorizer
Employees	ASD employs staff in direct-run schools; others hired by charter operator	Employs staff as sees fit; current teachers given priority consideration for employment	Teachers had to reapply after takeover; EAA employs teachers in district-run schools; charters employ their own staff	OSD superintendent has sole discretion to retain teachers, but they get "priority consideration"	Incumbent teachers must be interviewed, but OSD (or charter principal) decides whether to retain	Charter board "shall review each employee" but hires based on school needs
Mechanism for return	Commissioner develops plan after school is 3 years out of "Priority" status, but schools stay in ASD if home district "needs improvement" or if 60% of parents petition to keep school in ASD	After 2 years of acceptable performance, RSD schools decide whether to return to OPSB	No specific exit criteria	Commissioner directs OSD to negotiate return when school reaches acceptable performance	Charter renewal means exit from OSD; direct-run schools exit by negotiation with district and community	In year 6, executive director decides if school has made "adequate improvement"; school then decides whether to remain an ASD charter 6 more years, convert to district (or other) charter, or return to district

Activism

Missouri

Seeking new ideas for turning around Kansas City’s perennially troubled schools, then-Missouri Education Commissioner Chris Nicastro contracted in August 2013 with CEE-Trust (Cities for Education Entrepreneurship Trust, now known as Education Cities) to develop a plan. What they proposed to the Missouri Board of Education in January 2014 would arguably have been the farthest-reaching realignment of governance arrangements among any of the “turnaround” states.

Under state law, the Missouri state board must accredit each school district; an “unaccredited” or “provisionally accredited” district is one in severe distress. The designation thus becomes a kind of bargaining chip in policy negotiations—for example, when the legislature in 2014 sought to hold off a statewide chartering measure by agreeing to let boards of accredited districts sponsor charters in unaccredited districts. (The measure was ultimately vetoed by Governor Jay Nixon.)⁸⁵

CEE-Trust proposed abolishing existing unaccredited districts—then including Kansas City—and folding them into a new Community Schools Office under the state education department.⁸⁶ The schools would be autonomous in most respects and managed by nonprofit operators, with the state agency responsible for accountability and a short list of common functions.

But the proposal drew protests, both substantive and related to state audit findings regarding the consulting contract for CEE-Trust. In March 2014, the state board approved a more modest “Support and Intervention” plan that provided for reconstitution of failing districts, but without the sweeping consolidation of all failing districts envisioned in the original plan.⁸⁷

Nicastro announced her resignation in September 2014.

South Carolina

Mick Zais, the feisty former South Carolina state superintendent of education (2011–15), repeatedly called for a Transformation School District. He saw it as analogous to the existing South Carolina Public Charter School District, a freestanding statewide authorizer that combines functions of an LEA with the ability to award and oversee charters throughout the Palmetto State.⁸⁸

The plan never got off the ground in the legislature, but a November 2014 ruling by the state Supreme Court provided new grounds for resurrecting it. In *Abbeville County School District, et al. vs. The State of South Carolina*, a funding equity case that had been gestating since the Clinton years, the court said the state had “failed in (its) constitutional duty” to provide adequate education for students in several of the state’s poorest districts.⁸⁹

Zais, then about to retire, urged grouping the lowest-performing schools from these areas into a transformation district, thus directly addressing longstanding inequities. That theme has been picked up by other voices in recent op-eds, including one by Furman University political scientist Brent Nelsen (himself a 2010 candidate for state superintendent). But policymakers are another matter; Governor Nikki Haley is more focused on overturning Abbeville, petitioning the state court to rehear the case in light of new spending, adopted in 2014, which supports her K–12 school reform plan.⁹⁰

Utah

Republican State Senator Aaron Osmond floated the idea of converting failing public schools into charters after they receive three consecutive F grades on the state report card. But his notion of putting them directly under the control of the state board of education wasn't popular with the board chair or with charter advocates, and the measure stalled. Several other less stringent accountability measures were introduced during the 2015 session, but none made it to the finish line.

Wisconsin

In January 2015, two suburban GOP legislators proposed a version of the turnaround district concept as part of a proposed blueprint for economic renewal called "New Opportunities for Milwaukee." The plan was limited to the city of Milwaukee; low-performing schools there would be converted to charters overseen by a board separate from the regular district. There were few specifics and no explicit governance model, and the proposal predictably drew rapid fire from the Milwaukee superintendent and Democratic legislators.⁹¹ Governor Scott Walker made no mention of it in his 2015 State of the State speech and in fact has remained lukewarm to other proposals for sanctioning failing schools. Rather, he calls for a bill "ensuring objective information is available for each and every school receiving public funds in this state. Provide the information and allow parents to make the choice."⁹²

The story may not be over, though. Press reports in late March 2015 indicated that the sponsors were considering a scaled-back version of the proposal that would take only a few of the forty Milwaukee schools in the bottom tier (the "fails to meet expectations" category). While they regrouped, the Milwaukee school board fired its own preemptive strike, sponsoring a forum featuring three longtime critics of the RSD who called the Louisiana district a "dismal failure" and assailed its impact on working-class African Americans.⁹³

Faux Districts

A couple of states have adopted the turnaround nomenclature but stopped short of governance change.

Connecticut

The Commissioner's Network has sometimes been described as resembling the Louisiana RSD, but it's a different animal.⁹⁴ Schools remain under district supervision but gain some enhanced autonomy around learning time and staffing flexibility, plus the opportunity for support from approved nonprofits.⁹⁵ This led to embarrassing blowback, however, when FUSE (a support organization hatched from Hartford's successful Jumoke Academy charter school) was found to be riddled with conflicts of interest and fraudulent financial activity.

The philosophical basis of Connecticut's less disruptive approach is that "state and local authorities must take collective responsibility for Turnaround schools that fail to meet local and state targets for two consecutive years."⁹⁶ But its design may also reflect the fact that more than 98 percent of public school teachers in the Nutmeg State are unionized.⁹⁷

With the 2014 departure of reform-minded State Education Commissioner Stefan Pryor, there may be a loss of momentum: The governor's proposed 2015 state budget cuts Network funding from \$17.5 to \$12.8 million—perhaps reflecting the fact that, although the network's statutory limit is twenty-five schools, only sixteen are currently participating.⁹⁸

Delaware

Similar in structure to the Commissioner's Network, Delaware's Partnership Zone was created in 2011 with Race to the Top funds. It leaves troubled schools under local jurisdiction rather than folding them into a separate district, but has created a "Turnaround Unit" within the state education agency. That unit provides technical assistance, brokers consultant and expert help, and monitors improvement plans for schools in the zone.⁹⁹

Results seem comparatively strong. After the first year, every Partnership zone school's growth outpaced state averages in reading and math.¹⁰⁰ And in November 2014, the state education department announced that it was releasing four of the original ten schools from the zone after they met performance benchmarks.¹⁰¹

RECEIVERSHIPS

Rather than opting for a turnaround district, New York Governor Andrew Cuomo won authority in the state's 2015 budget act to take over failing schools through receiverships.

His administration said that there were 178 failing schools statewide, seventy-seven having lingered on the list for a decade or more. Legislative horse trading produced a somewhat milder bill than Cuomo had sought; schools failing for a decade will get an extra year to show "demonstrable progress," and those failing for only three years will get an additional two years before being subjected to receivership.¹⁰²

Cuomo's plan appears to have been inspired by neighboring Massachusetts, where the state education commissioner can appoint receivers for both schools and districts in Level 5, the state's lowest accountability rating. Three schools are currently in receivership, being overseen by nonprofit groups, but Lawrence is the only district.

In asking the New York State Board of Regents to study the Massachusetts model, Cuomo's operations director Jim Malatras noted that American Federation of Teachers President Randi Weingarten supported the Lawrence approach. (Weingarten, no fan of the governor, promptly clarified, saying, "I'm not for receivership....The only place it's working is in Lawrence, Mass., and that's because there is collective bargaining and the leadership believes that teachers should have a voice, and, as such, collaboration among all partners exists.")¹⁰³

The Lawrence turnaround includes charter-like site autonomy and also involves nonprofits such as UP (Unlocking Potential), which have turnaround experience, but it doesn't use actual charters. Other state receiverships do sometimes turn to charter operators, and not always with success. Receivers for two Michigan districts hired for-profit Education Management Organizations (EMOs) to run all of their schools. In Muskegon, Mosaica withdrew after lower-than-expected enrollments caused budget pressures. The Leona Group, which was contracted in 2012 to manage the Highland Park schools, is still in place but has faced an ACLU lawsuit over weak achievement gains.

A Pennsylvania judge ruled in late December 2014 that York's schools could join Harrisburg, Duquesne, and Chester-Upland under state receivership. The district school board fought the move because the receiver, appointed by Republican Governor Tom Corbett, planned to charter all the schools under a Florida-based firm, Charter Schools USA. But Democrat Tom Wolf defeated Corbett in 2014, and his adamant opposition to the charter plan resulted in the March 2015 resignation of Corbett's appointee. In April 2015, Pennsylvania Commonwealth Court ended the receivership. Wolf has now appointed a new "chief recovery officer," but she will not supplant the powers of the York school board, which remain in place.¹⁰⁴

RECOMMENDATIONS FOR STATES CONSIDERING TURNAROUND DISTRICTS

What can be learned from the fourteen or so states that have either implemented turnaround districts or attempted to do so? This section presents a batch of recommendations for state leaders who may consider such arrangements now or in the future. The nineteen suggestions that follow are split between up-front policy considerations and advice for how to manage such a district successfully.

Making Policy

- 1. First, concede that there is a problem.** One reason governors have largely led the turnaround fight is that the head-in-the-sand mentality still prevails in other quarters. Governor Cuomo’s proposal to put some of his state’s 178 failing schools into receivership generated plenty of controversy, but no response was more revealing—or damning—than that of the state teachers’ union: “New York doesn’t have failing schools....It does have struggling schools where teachers and parents are working together in different circumstances to cope with deep poverty. Poverty and chronic under-funding by the state are the central issues the governor’s proposal does not address.”¹⁰⁵

That’s a prescription for doing nothing. Political leaders must find ways to dramatize the harm being done to children when schools are mired in this “we’re all victims” mindset.

- 2. Don’t expect to paint by numbers.** Every time another state ponders a turnaround district, critics pop up and say, “The Louisiana model won’t work here.” They have at least part of a point. The general concept has to be adapted to the peculiarities of each state’s political culture (and, sometimes, constitutional limitations) and to solving the specific problems found in that state’s bottom-tier schools. And if too many contortions are required (as the Michigan tale demonstrates), it may be wise to try another approach until the political stars are better aligned.

Georgia’s case, for example, raises the question of whether this model will work in a predominantly rural state where many of the most troubled schools are in scattered, diffuse districts. Taking a few schools out of a big urban pool is a different matter than plucking a single failing school from a district with just two or three buildings. Policymakers will need creativity in such cases—perhaps organizing a support network or sub-district just for those schools, and ramping up efforts to find teachers who prefer country life to the city.

- 3. Call your lawyer.** The sorry experience of Virginia and the coming electoral struggle in Georgia both suggest that a close reading of the state constitution is essential homework. These and a few other states (e.g., Florida and Colorado) are considered “local-control” states, and setting up a state district will require either fancy legal footwork or perhaps the kind of amendment process that Georgia is again facing. It may well be worth taking on this challenge, but it’s wise to know what’s in store.
- 4. Be careful about the eligibility criteria.** It sounds simple to say that schools in the bottom 5 percent can be moved into a turnaround district. But it’s critical to make sure that candidate schools really do need to be turned around—and are not, for example, dropout-recovery schools that engage a new group of students every semester who don’t test well. Today, most states lack alternative accountability systems for

such schools, and eligibility criteria for turnaround districts should make sure that schools are appropriately identified. Part of the bulletproofing—for these and all other schools—is to make sure that the calculation of performance takes into account student-level growth as well as proficiency. A school failing miserably on both counts should surely qualify.

Nor is there anything magical about the bottom 5 percent. Remember that the RSD’s big expansion in 2005 followed a much broader entry rule (schools just had to be in a district performing below the state average) because it was aimed at allowing the state to take control of most New Orleans schools. Subsequent states have used the “5 percent” figure mostly because of federal mandates or restrictions associated with big grant programs. Nevada is proposing to include a larger group of schools in the eligible pool, and this is a move in the right direction. Provided that reasonable definitions and valid metrics are used, districts that harbor schools in the “bottom decile” or the “bottom 15 percent” of state performance should be on notice that their exclusive franchise is at risk.

5. **Define “turned around” and work backward from the goal.** In districts that do take in just the bottom 5 percent, a school could qualify to leave by creeping up to the sixth percentile. That’s obviously not the point. Much more ambitious and clearly defined goals are in order, whether they’re as lofty as the ASD’s top 25 percent, moving from an F to a C, or meeting some other threshold of the state’s performance standards. State officials may not want to promise the moon, but not defining success invites an impatient public to make its own assumptions and then decide that the district is failing to rectify educational malpractice. Bryan Hassel of the policy shop Public Impact has perceptively observed, “What is important here...is for the state to select and communicate a sense of trajectory. After one year we are aiming for, say, 25 percent of our turnaround schools to have crossed the success threshold. And then we expect that percentage to rise steadily so that after five years, 80 percent of the schools are over the mark. This kind of trajectory allows state officials and others to watch progress, and then make adjustments. This communicates an ambitious target over time, but also a realistic path to get there.”¹⁰⁶
6. **Decide the endgame—for both schools and district.** Apart from setting goals for school performance, other decisions must be addressed:
 - *Who decides when—and if—a school returns to its home district?* The state district should annually review performance data for its schools, and those that have met the exit criteria should be given a green light to leave. But the local school community must buy into the notion of returning to district rule. Whether it’s the principal and PTA in a direct-run school or the board of trustees in a charter, school leaders must have a formal decision process that allows them to decide whether to stay or go.
 - *What conditions must the home district fulfill?* It does no good for a state district to put a school on a sound path, only to hand it back to a local district that has no idea how to run high-quality schools. Laws creating state turnaround districts should safeguard hard-won progress. The now-dead Texas statute, for example, allowed return to the district when a campus reaches the “acceptable” grade of academic performance, but required the district to submit a transition plan “including provisions for the continuation of the programs that have provided the basis for improved academic performance by the students...”¹⁰⁷ Criteria for such plans should call on hard data about the district’s test scores, graduation rates, and other indicators, but the process should also give state officials the chance to query local leaders’ expectations and attitudes. Finally, the inquiry should be cognizant of the local district’s own

governance situation. With an average national superintendent tenure of 3.2 years, and rotating seats on elected school boards, the “welcome home” may not last long.¹⁰⁸ States should remain vigilant to see that obligations are met, no matter who is in charge.

- *Are there other options?* What if the school makes solid progress in the turnaround district, but the home district remains a mess? By deputizing the independent state charter commission as authorizing agent for its turnaround district, Georgia’s proposed law opens the door to other intriguing possibilities. The “new normal” for a turned-around school could mean life as a charter authorized by the state board or a university, and might even mean supervision by another (better-run) school district.
- *What happens to the state district?* All three existing districts (ASD, RSD, EAA) can award a charter and then remain in an oversight role as the authorizer indefinitely (providing that the state doesn’t cancel the whole project). Can the school return as a charter to the local district (or, as in the Georgia proposal, move under the state charter commission)? Is the recovery district intended to do a repair job and then wrap up? If not, the message needs to be communicated clearly.

7. **Don’t include low-performing charters—with a possible exception.** Every state that has charter schools will find some of them performing below par, enough to be listed among bottom-tier Priority schools. The charter model calls for tough accountability, and charters that fail to move out of the basement should be put out of business—not swept into a statewide turnaround district. If their authorizers are doing their job, a five-year renewal cycle is just as stringent as anything district-managed candidates for a turnaround district would face.

But what if authorizers are asleep at the switch? Rather than giving subpar charters new life in a turnaround district, the state should enact a default-closure law saying that any charter whose performance is bad enough to meet the criteria for a turnaround district should simply be closed, unless there is some compelling reason to give it another chance. That should be paired with tough accountability measures for authorizers that take no action on malingering charters.

However, in a jurisdiction such as Colorado or Arizona that may award fifteen-year (or longer) charters, it could make some sense for them to be eligible for a turnaround district. A long charter term should not shield shoddy performance.

8. **Pay for it from public funds.** States need to find a reliable and substantial source of funding both to launch and operate a recovery district. That means avoiding over-reliance on one-shot federal or private grants, as well as unrealistic assumptions about paying for both school and district expenses out of standard per-pupil funding. While philanthropic support can be immensely helpful, particularly in the early planning phase, excessive dependence on the private sector raises questions about the seriousness and viability of the district—not to mention how it diverts energies toward fundraising and away from planning for academic and operational success.
9. **Learn from this!** Consider what an amazing opportunity state districts present for advancing the art of school reform. Yet if they are set up as independent operations and seen as oddball temporary phenomena, states and school districts may reap little long-term benefit from them. Turnaround districts should be learning organizations, chronicling what works and what doesn’t and feeding their lessons back to states and school districts eager to unlock the secret of overcoming persistent academic malaise.

State policymakers also need an ample flow of outcome data to know whether the district is hitting its marks. The normal state accountability systems go part of the way in providing test results and a few other school-level indicators, but far more fine-grained analysis of operations and outcomes is needed to guide decisions about resources and management in the turnaround district itself.

All of this demands a first-rate evaluation partner adept at both quantitative and qualitative analysis, including documentation of district operations and culture.

Managing the District

1. **Think long-term.** Everyone wants to turn failing schools around *now*. But removing them from local oversight, cultivating community support, choosing operators and/or developing a sound educational plan for direct-managed schools, and hiring a strong leader all take months of effort. While some of this start-up work can be set in motion even before enabling legislation is passed, much of it depends on funding that only flows after authorization. Most state legislatures finish their annual sessions by May or June, and funds may not be available until a July or October fiscal year begins. Officials should think in terms of opening schools under the new district no earlier than the following fall, allowing a full year to put a solid foundation in place.

Some state leaders have analogized turnaround districts to hospital emergency rooms where patients can be treated intensely and discharged promptly.¹⁰⁹ But they're misreading the data and misunderstanding the concept. Maybe "rehabilitation" is a better model. Each of the three existing districts has made substantial gains for some schools, less so for others. In Tennessee, it's still too early to tell whether early improvement will solidify, putting schools in the top 25 percent within five years—but it's almost certain that some schools will take longer to get there. Michigan's initial results have required a major retooling of the operation. Louisiana has made solid gains but has far to go.

Getting to parity with state achievement levels—low as many of them are—is a heavy lift. In fact, just halting the slide of long-failing schools is tough, as is establishing anything close to a consistent pattern of growth. These early efforts have all gone more slowly than expected or hoped.

NSNO's Neerav Kingsland notes that there will be "extreme pressures on quick growth. Governors and state superintendents will want results quickly and demand full district turnaround." His counsel: "Ignore them." He recommends sticking to a sustainable pace.¹¹⁰ That may well mean a longer and more realistic time frame than was assumed in these first experiments.

2. **Expect course corrections.** RSD Superintendent Patrick Dobard puts it bluntly: "I don't want to oversell this. It's not like we have a silver bullet...We went from awful to pretty good. We're not great...This is going to take decades to create all of the great schools I know we can have."¹¹¹ Running a statewide district is a huge, complex undertaking full of political, financial, and logistical challenges—not to mention the myriad crises and complications that always arise in institutions serving real children. Leaders need to pay close attention to what's happening on the ground, build in specific feedback and reflection points, and be ready to pivot when results aren't there or public support starts to evaporate. The initial phase of the EAA is Exhibit A in this regard; fortunately, the new administration seems to have learned the lesson.

3. **Create a portfolio.** It's been instructive to watch each of the three original districts evolve from a mixture of direct-managed and charter schools to a charter-dominant model. What they've found is that the "portfolio" approach (i.e., multiple operators and a central office focused on accountability) makes more sense than trying to be a direct, hands-on manager of schools with disparate populations, grade spans, and locations. This model doesn't necessarily require a charter; the district can also contract with nonprofits that specialize in turnaround work (such as Up Education or the Blueprint Network, both of which are active in the Massachusetts receivership program).

But all of the existing districts have authorizing powers, and they seem to have found that it's awkward to be an authorizer for some schools and a direct manager for others. The latter job means you must create curricula, hire and evaluate teachers and principals, keep facilities in shape, and assume responsibility for every stalled bus, botched IEP, and fall from a playground jungle gym. Far more preferable is a tight focus on outcomes and a straightforward set of contracts through which diverse operators can manage schools and be rewarded for success (or removed for failure).

If states do decide to authorize charters, however, they must do it well. RSD chief Dobard says, "The quality of authorizing is extremely important."¹¹² He and prior RSD leaders noted in interviews that they recruited the National Association of Charter School Authorizers to design (and for many years manage) a rigorous charter application process based on the organization's *Principles and Standards for Quality Charter School Authorizing*. NACSA has also done similar work for the ASD and helped the EAA with its review processes.¹¹³

4. **Get the right skills.** Starting a great school is tough; turning around a failing one is tougher. That's why we have seen only a few top-notch charter networks applying to operate in state turnaround districts—despite Secretary Arne Duncan's plea for them to do so at the 2009 national charter school conference.¹¹⁴ Start-up and turnaround require different skill sets, and state leaders taking the portfolio route need to develop keen application processes, not just to identify operators with good track records, but also those who are equipped to take an existing school from failure to success. There are few charter networks that specialize in turnarounds, including Philadelphia-based Mastery and Los Angeles-based Green Dot, but there's a growing list of charter schools and networks that have undertaken successful "restarts" of district or charter schools along with their core start-up work. These include New York's Democracy Prep, D.C.-based Friendship Public Charter School, Crescent City Schools in New Orleans, and Chicago's Noble Network.¹¹⁵
5. **Understand that race and class matter.** Let's face it: In each case so far, and likely in every one to follow, the schools to be brought into turnaround districts will come from impoverished areas that are usually filled with children of color. Politicians who create the districts, and many of those who lead and administer them, are usually white. If a district brings in nationally known, high-performing charter management networks to operate schools, those are also likely to be directed by white leaders (not to mention being headquartered far away).

Education reformers sincerely believe that effective teaching is the most important thing and that parents want their kids in a good school, period. But for all the ways in which "someone who looks like me" can affect the learning process, a diverse staff is important. RSD classrooms are filled with students of color (about 98 percent of total enrollment), and Superintendent Patrick Dobard is reaching out to recruit staff from historically black colleges in the area.

Turnaround leaders should do their utmost to ensure that the community, as social justice advocate Howard Fuller puts it, is “a real and active participant in their quest for their own freedom.”¹¹⁶ From the outset—in framing the legislation, in designing the district, in hiring administrators, in reviewing applications for charter operators—those who will be affected by this change should be part of the process. There should be ample opportunity for parents and neighborhood leaders to be heard once schools are open. There will always be issues; there will always be a teacher who makes a racially insensitive remark, or a parent who charges that an administrator doesn’t care about black children. If the community at large has not been brought into the process, these rocks can turn into landslides.

6. **Use the district to leverage broader improvement.** Evidence from Tennessee suggests that ASD’s direct performance is encouraging, although mixed, but that the district’s existence has helped galvanize wider gains among the lowest-performing schools statewide as superintendents and school boards have taken long-overdue actions to avoid takeovers. And in Louisiana, a succession of Recovery School District superintendents have used the threat of takeover as leverage to demand changes through memoranda of understanding with local districts, without actually folding every problematic school into the RSD.
7. **Stress Talent.** Even in turnaround districts that let operators hire their own staff, a broader human-capital strategy is essential. While the RSD benefitted from the missionary zeal of young education reformers who flocked to post-Katrina New Orleans, sustaining it still requires aggressive talent-seeking efforts. Former NSNO chief Kingsland says, “The RSD has helped facilitate the nation’s first decentralized, non-governmental human capital system—where groups like Teach For America, TNTP, Leading Educators, and Relay Graduate School of Education are the talent engines.”¹¹⁷ The ASD teams up with Teach Plus and many of the same groups as the RSD, and joined with their Shelby County counterparts in the Teacher Town campaign to make Memphis a destination for education talent.
8. **And give the locals a chance.** Reformers may want to clean house and start fresh with a whole new cast of characters. But attracting new talent is not easy—and dysfunctional systems usually have some talented (if underutilized or miscast) people working for them. Incumbent staff should be given the opportunity to apply for work under the new arrangement and prove that they can shine if empowered.
9. **Focus on neighborhoods.** It may sound counterintuitive for two people who run a statewide district, but Barbic and his colleague Margo Roen think it important to maintain community bonds even as individual schools come under state supervision: “All schools—regardless of governance type—need to focus on serving their communities.” One of their charter leaders recently remarked, “We learned we needed to stop being a charter school trying to act like a neighborhood school, and be a neighborhood school that acts like a charter.”¹¹⁸

A neighborhood focus also makes strategic sense. If outreach is a key element of success, the district’s grassroots efforts can work through existing neighborhood organizations and affinity groups—including public school alumni. And as EAA leaders have found, pulling schools into the district at random makes administration more difficult.

10. **“Communicate clearly, often, and engage a lot of people in the conversation.”** This is a direct quote from the EAA’s Veronica Conforme, but other district leaders say similar things. She attributes some of the “vitriol” surrounding the EAA’s early years to a lack of communication and engagement on the Authority’s part.¹¹⁹

IMPLICATIONS FOR GOVERNANCE

The creation of turnaround districts by states—indeed, even the serious contemplation of such a move—signals that not all is working perfectly in the traditional K–12 governance arrangement. We therefore conclude this paper by making explicit five of the most notable implications.

1. **The local district has lost the exclusive franchise.** This is not exactly news; states have been taking over school districts for years, often for lengthy periods. (New Jersey has been in charge of the Jersey City schools since 1989.) State boards and commissions can often authorize charter schools all over the place. Statewide math and science academies, virtual schools, and entities other than districts all loosen the grip of local officials on the delivery of public education. And since states possess constitutional primacy in K–12 schooling, they have also been able to intervene in individual schools, though historically only under extraordinary circumstances.

What’s different here is that the definition of “extraordinary” is widening, not just to cover the kinds of emergencies caused by bankruptcy or mayhem, but also to include a school’s chronic failure to educate its pupils. Now, the state establishes a separate entity charged with removing from district custody those schools that the district has failed to set right—not as a one-shot intervention but as a routine part of state oversight. This most certainly expands the scope of state jurisdiction at the expense of local.

This realignment parallels others created by a few state charter laws that move district sovereignty from “by-right” status to one more explicitly contingent on capacity and behavior.

- In Colorado, a district can obtain an exclusive right to create and oversee charter schools within its own boundaries only if the state board of education determines that it will carry out the state’s charter school law. If it’s denied, the statewide Colorado Charter Schools Institute is free to approve and open charters within its borders.¹²⁰ (In a further wrinkle, exclusive-jurisdiction communities can also agree to let the institute approve charters within their boundaries anyway.)
 - Washington’s 2012 charter law allows local districts to approve charters. But first, they must submit a comprehensive application to the state board of education detailing their “strategic vision” for chartering and plans to support it. Districts are licensed to operate as authorizers for renewable six-year terms, and the state board can revoke their chartering authority midstream if circumstances warrant.¹²¹
2. **Power shift at the state level.** The brief history of turnaround districts also raises new questions about who represents “the state” itself. In matters of K–12 education policy, state boards of education have traditionally been the focal point for policymaking, but recent decades have more often found governors and legislators driving reforms that state boards and state superintendents would not likely have undertaken on their own—and sometimes superseding those boards and superintendents in direct control. This is surely hastening what Columbia’s Jeffrey Henig called “the end of exceptionalism in American education” in his book of that title, where the functions of education policy and management were walled off from, and presumably untainted by, the political figures in charge of general government functions. (There have always been a few exceptions, such as New York, where the state board has what amounts to separate constitutional authority.) The ASD’s superintendent reports to the state

superintendent of education, who is appointed by the governor. In Michigan, the EAA's real governing power is housed in an executive committee dominated by gubernatorial appointees; and now the governor has also taken over the School Reform and Redesign Office, formerly under the state superintendent. In Louisiana, on the other hand, the RSD chancellor reports to the state superintendent, who is appointed by the elected board of elementary and secondary education.

Gubernatorial leadership in these early initiatives has more often followed institutional than partisan lines, as vigorous state executives have demanded faster and more effective action than was historically provided by the plodding deliberations of state boards and semi-independent agencies. Michigan's recent reforms were kicked off by Democratic Governor Jennifer Granholm and accelerated by her successor, Republican Governor Rick Snyder. A similar handoff between parties took place when Tennessee's Democratic Governor Phil Bredesen's proposal for the ASD was embraced by his GOP successor, Bill Haslam. The Recovery School District's origins are somewhat more idiosyncratic. It was conceived in 2003 by then-state board member Leslie Jacobs, but its expansion got a strong push from Democratic Governor Kathleen Blanco after the hurricane and floods—and was then championed by the present Republican in office, Bobby Jindal.

The most recent crop of kindred efforts displays a somewhat more partisan cast, as Republican Governors Abbott, Deal, and Sandoval are taking the lead in their respective states—although the state senate sponsor of Abbott's legislation is Democrat Royce West, and Deal's bill has one "D" among its co-sponsors, Senator Freddie Powell Sims of Atlanta. Only in Mississippi is the initiative being sponsored by the state education agency.

3. **A boost for the "portfolio" concept.** With the EAA's recent turn away from direct management of schools, it's certain that the three existing districts will provide high-profile test drives for portfolio management. Those sponsoring proposed districts in Nevada, Georgia, and Mississippi also talk in terms of multiple management options. So this experiment may become a compelling argument for creating relatively rapid improvement of very low-performing schools by recruiting skilled operators under an umbrella of tough accountability. (If the results are flawed, of course, this could also puncture a hole in that argument.)
4. **The federal question mark.** While this paper has focused on state policy, Uncle Sam has had a profound catalytic effect. The No Child Left Behind Act prescribed sanctions for schools and districts failing to make "Adequate Yearly Progress," and even under the waivers that most states have now obtained from NCLB's accountability provisions, they must still show how they will take action on their lowest-performing schools. Race to the Top and School Improvement Grants provided billions to improve the worst-off schools. Even if states could get away with making cosmetic changes under these programs, their combined impact helped to build demand in state capitols to do something serious about failing schools—and supplied resources that states could leverage toward this end.

Given the strong push for devolution of authority back to states in the post-NCLB era—and assuming that no new economic catastrophe hands the U.S. Department of Education more billions to spend at will—it's hard to imagine more federal programs with such sweeping scope in the foreseeable future, particularly if the draft ESEA reauthorization measure called the "Every Child Achieves Act," released by Senators Lamar Alexander and Patty Murray on April 7, 2015, is any indication.¹²² While the draft maintains NCLB's annual testing requirements and disaggregation of results, it leaves up to the states how to define and address

school failure. The draft measure keeps in place School Improvement Grants, but prohibits the secretary of education from establishing “any criterion that specifies, defines, or prescribes...any school intervention or support strategy that States or local educational agencies shall use to assist schools identified as in need of assistance.”¹²³

While keeping Secretary Duncan and his successors from setting out lists of permitted remedies for school failure, the rewrite calls for local and state actions to be “evidence-based.” It assumes that transparency about results will provide the motivation for action, but still allows federal authorities to conduct a fairly rigorous review of intervention plans before writing SIG checks. If this model of ESEA accountability makes it to the president’s desk for signature, with somewhat more carrot and less stick than its predecessor, will it be enough to sustain the turnaround momentum we’ve been seeing? There’s reason for hope in the number of new initiatives that have had barely a nudge from Washington.

5. **We need to know more.** In the course of writing this paper, the author learned of several research studies examining more deeply the dynamics and outcomes of state turnaround districts. It’s about time—and it’s not yet sufficient! There’s been much debate about these districts, but too often it has taken place within various ideological echo chambers. Some of what’s labeled “research” on these districts is truly appalling, filled with conspiracy mongering and cherry-picked data.

Within a few years, if sound research initiatives and evaluations are mounted, paid for, and sustained, we should be able to shed considerably more light on some basic issues that accompany turnaround districts. Are they worth the risk and disruption? What do they actually cost? How do they get results, and when they fail, what trips them up? Do the students in their schools go on to succeed in college and work?

The turnaround district is a major structural, policy, and governance innovation within the world of American public education, but innovations don’t always work. Most of the time, they need fine-tuning and mid-course correcting. Sometimes they need a full reboot. And sometimes they aren’t worth retaining. As with technology, as with accountability, as with charters and teacher certification and so much more, turnaround districts call for close scrutiny and honest reckoning as well as continuing invention and refinement. The children in their schools certainly deserve—and desperately need—a better education than they were getting under the old arrangement. But it’s too soon to say with confidence that the new arrangement is producing the results we seek.

ENDNOTES

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